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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

87-268

MM Docket No. ~~87-286~~

In the Matter of )  
 )  
Advanced Television Systems )  
and their Impact upon the )  
Existing Television Broadcast )  
Service )

COMMENTS OF WMLB-TV (MIAMI, FL)

Transferors and Transferee of New Miami Latino Broadcasting Corporation,<sup>1/</sup> permittee of WMLB-TV, Miami, Florida,<sup>2/</sup> hereby submit an original plus five copies of the following Comments regarding the Second Further Notice of Proposed Rule Making, FCC 92-332, released August 14, 1992.

Respectfully submitted,

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November 16, 1992

<sup>1/</sup>See BTCCT-921016KH.

<sup>2/</sup>See BLCT-921026KE.

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**ENGINEERING STATEMENT  
ON BEHALF OF  
NEW MIAMI LATINO BROADCASTING CORP.  
RE COMMENT ON SECOND FURTHER NOTICE  
OF PROPOSED RULE MAKING  
MM DOCKET NO. 87-268**

**NOVEMBER 1992**

**COHEN, DIPPELL AND EVERIST, P.C.  
CONSULTING ENGINEERS  
RADIO AND TELEVISION  
WASHINGTON, D.C.**

### Introduction

This engineering statement has been prepared on behalf of Transferor, New Miami Latino Broadcasting Corp., permittee of television station WMLB, Channel 35, Miami, Florida, and Transferee, Dr. William C. de la Pena (hereafter "WMLB") in support of comments on the Second Further Notice of Proposed Rule Making ("Notice") adopted July 16, 1992, and released August 14, 1992, in MM Docket No. 87-268.<sup>1/</sup> These comments address various items contained in the Notice as they affect WMLB service in the Miami area. WMLB submits that maximum protection of the existing NTSC and future ATV service be established as a prime factor in the final channelling plan.

### WMLB ATV Channel

In the FCC Notice, the Commission included a first draft table of ATV allotments. The draft table appears to have listed Channel 60 for Miami based on WMLB's previous McIntosh Tower. The McIntosh Tower site was never used by WMLB and, in any event, the tower was lost in Hurricane Andrew. The site has been reported as being abandoned by communications users. WMLB is now operating under its modified permit from the "DATRAN" site and has filed FCC Form 302 for license (BLCT-921026KE). The draft table's Channel 60 ATV allotment is first-adjacent to a Channel 59 ATV allotment proposed at West Palm Beach, Florida. The ability of any Channel 60 user to provide ATV service out to 55 miles north of the

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<sup>1/</sup>See BTCT-921016KH accepted for filing on October 30, 1992.

abandoned McIntosh site would be severely constrained, particularly if ATV Channel 59 is assigned to the Channel 5/12 NTSC site located southwest of West Palm Beach. This would constrain any Channel 60 user from providing service to the entire Miami ADI (Dade and Broward Counties).

#### WMLB NTSC Channel

The FCC first draft table of allotments also proposes ATV Channel 50 for WPPB-TV, Boca Raton. Since the WPPB-TV construction permit site is at Hallandale, approximately 33 km north of WMLB, a wide area of image interference (n + 15) would be created to the off-air NTSC Channel 35 reception of WMLB. This interference area will be located within and around the Hallandale area, in the center of the Miami ADI, within WMLB's service area.

#### WMLB ATV Operation from Hallandale

WMLB is authorized to operate from its DATRAN site with a maximum ERP of 3240 kW and an antenna height above average terrain of 102 meters. WMLB is constrained under the current rules from seeking a Channel 35 site within 31.4 km of the Hallandale antenna farm. Under the new ATV allotment procedures, the Commission has removed this "taboo". In order to maintain a comparability between all Miami area stations, however, WMLB urges the Commission to ensure that the final ATV allotment list will enable WMLB ATV to operate from Hallandale antenna farm regardless of the channel ultimately allotted.

Use of the Hallandale site will enhance more rapid acceptance of WMLB ATV in this market. WMLB anticipates that wideband receive antenna/download systems

to successfully receive all ATV stations without data errors will be complicated and expensive. Any additional need to rotate antennas toward other Miami ATV tower sites would be to the detriment of the overall health of any non-Hallandale-site ATV broadcaster. Further, if WMLB's ATV antenna is located at its current NTSC site, the public would be precluded from reception of WMLB-ATV on most ATV receivers where receive antenna systems cannot be readily rotated. Recognition of this factor must be included in the final ATV allotment channelling plan.

#### Adjacent Channel Protection

Engineers from this office were present at the IEEE Symposium held in Washington, DC in September, 1992 which reported on ATV off-air tests in Milwaukee, Wisconsin. In addition, engineers from this firm were present at the Washington, DC transmitter site during the tests of a different ATV system on October 1, 1992. The out-of-band emissions from both ATV systems across the upper and lower adjacent channels were only 35 dB below the on-channel levels. The ATV out-of-band emissions thus far are inferior to NTSC performance and may further exacerbate first-adjacent channel interference.

#### Propagation Anomalies in Zone III

The phenomenon of enhanced propagation of television and FM signals in Zone III<sup>2/</sup> has long been recognized by the FCC and the broadcast industry. WMLB urges the FCC to provide special recognition of this phenomena to the Zone III area to

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<sup>2/</sup>Miami is located within Zone III.

provide increased ATV/ATV spacings in this zone and where possible increased ATV/NTSC spacings.

#### Post Transition Scenarios

The best achievable ATV channelling plan for the transition period will most likely be a compromise between ATV and NTSC service objectives. Following cessation of NTSC transmissions, the ultimate health of the ATV off-air industry will be heavily dependent on wide area, interference-free coverage hopefully to well beyond the Commission's stated maximum 55 mile service area for ATV. WMLB requests that the Commission give careful consideration to the Zone III propagation anomalies discussed above in forming its allotment plans and minimum distance spacing rules.

COHEN, DIPPELL AND EVERIST, P. C.

City of Washington       )  
                                      ) ss  
District of Columbia     )

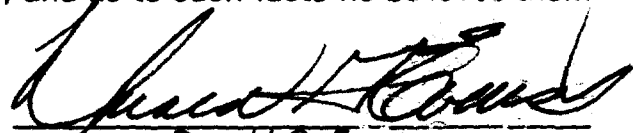
Donald G. Everist, being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer, a Registered Professional Engineer in the District of Columbia, and is Secretary-Treasurer of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005;

That his qualifications are a matter of record in the Federal Communications Commission;

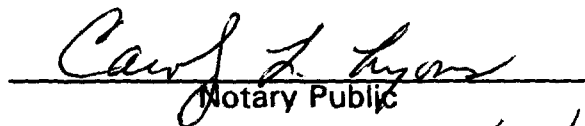
That the attached engineering report was prepared by him or under his supervision and direction and

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.



Donald G. Everist  
District of Columbia  
Professional Engineer  
Registration No. 5714

Subscribed and sworn to before me this 13<sup>th</sup> day of November, 1992.

  
Notary Public

My Commission Expires: 2/28/93

COHEN, DIPPELL AND EVERIST, P. C.

City of Washington                    )  
  ) ss  
District of Columbia                )

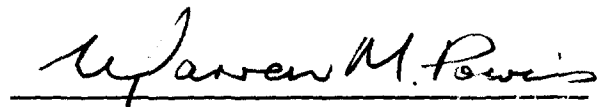
Warren M. Powis, being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer of the University of Canterbury, New Zealand, a Registered Professional Engineer in the District of Columbia and the State of Virginia, and a Vice President of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005; previously employed for 15 years with the New Zealand Broadcasting Corporation; a member of the Institution of Professional Engineers New Zealand (IPENZ), the Association of Federal Communications Consulting Engineers (AFCCE), and the National Society of Professional Engineers (NSPE).

That his qualifications are a matter of record in the Federal Communications Commission;

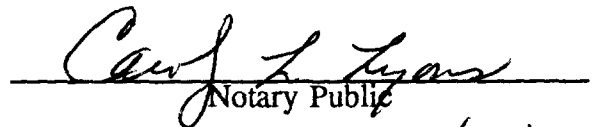
That the attached engineering report was prepared by him or under his supervision and direction and,

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.



Warren M. Powis  
District of Columbia  
Professional Engineer  
Registration No. 8339

Subscribed and sworn to before me this 13<sup>th</sup> day of November, 1992.

  
Notary Public

My Commission Expires: 2/28/93